

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
AT AKRON

IN RE:	)	CASE NO. 13-51677
RONALD & SUSAN KELPS	)	CHAPTER 7
Debtors	)	BANKRUPTCY JUDGE: MARILYN SHEA-STONUM
	)	
	)	<b><u>MOTION FOR TURNOVER</u></b>
	)	REQUEST FOR HEARING

Now comes Harold A. Corzin, Chapter 7 Trustee herein, and moves this Court for an order directing the debtors or either one of them to turn over any account statement with respect to their Citi obligation which, according to Schedule F, was opened on December 1, 1994 and last active on November 1, 2011 with said account ending with numbers 8077. For cause, the Trustee states as follows:

This estate consists of an inordinately large amount of general, unsecured debt. The Schedule F total is \$432,054.00. It appears that approximately one-half of this debt represents the unsecured portion of two home equity lines of credit. See sheet number 10 of 12 sheets attached to Schedule F. With the exception of the amounts owed on these lines of credit the great majority of

the remaining general, unsecured debt appears to be credit card debt. While many such credit card obligations are extremely large (e.g., the Chase card account ending with numbers 2741 in the amount of \$22,762.00) the Trustee is most interested in the Citi card account ending with numbers 8077 which has a stated balance of \$66,095.00.

The Trustee has attempted to audit the account history and requested all relevant Citi card account statements for this account from the debtors. The debtors advised that they could not comply in that Citi refused to provide such documents. The Trustee then communicated with the debtors by and through their counsel and advised that he was prepared to issue a subpoena to Citi card thus relieving the debtors of their obligation to produce said documents however the Trustee requested that the debtors turn over any of the Citi card account statements containing a complete account number so that the Trustee could identify the account on the subpoena *duces tecum*.

The debtors have failed to comply and have not produced even one Citi card account statement for the account in question and thus the Trustee cannot obtain a record with respect to the charges which ultimately led to this extremely high account balance.

WHEREFORE, the Trustee prays that the debtors appear and show cause why they should not be required to produce a copy of any account statement for the aforesaid Citi card account and that they forthwith turn over any account statement or, in the alternative, that they produce the entire account number for this creditor so that the Trustee may utilize this information in serving his subpoena *duces tecum* upon this creditor.

/s/ Harold A. Corzin  
HAROLD A. CORZIN, (#0005021)  
CHAPTER 7 TRUSTEE  
304 N. Cleveland-Massillon Road  
Akron, Ohio 44333  
(330) 670-0770 Voice  
(330) 670-0297 Facsimile  
[Hcorzin@csu-law.com](mailto:Hcorzin@csu-law.com)

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion was sent to the following:

Debtors:

Ronald & Susan Kelps  
3108 Rathburn Drive  
Medina, OH 44256  
(Regular U. S. Mail)

Attorney for Debtors:

Bruce Hall  
(Electronic service)

Office of the United States Trustee  
(Electronic service)

on this 15<sup>th</sup> day of January, 2014

/s/ Harold A. Corzin  
HAROLD A. CORZIN